

ASSEMBLY BILL

No. 1558

Introduced by Assembly Member Mathis

January 4, 2016

An act to add Section 23826.13 to the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

AB 1558, as introduced, Mathis. Alcoholic beverages: licenses.

The Alcoholic Beverage Control Act, administered by the Department of Alcoholic Beverage Control, regulates the sale and distribution of alcoholic beverages and the granting of licenses for the manufacture, distribution, and sale of alcoholic beverages within the state. The act also provides for a limitation on the amount of on-sale general licenses that may be issued by the department based on the population of the county in which the licensed premises are located, as provided.

This bill would provide an exception to this limitation for the County of Inyo, as specified.

This bill would make legislative findings and declarations regarding the necessity of a special statute.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 23826.13 is added to the Business and
- 2 Professions Code, to read:
- 3 23826.13. (a) Notwithstanding any other provision of this
- 4 chapter, in the County of Inyo, the department may issue no more

1 than a total of five additional new original on-sale general licenses
2 for bona fide public eating places from January 1, 2017, to
3 December 31, 2019, inclusive. To qualify for a license under this
4 section, the premises upon which a bona fide public eating place
5 is operated shall have a seating capacity for 50 or more diners.

6 (b) In issuing the licenses provided for in this section, the
7 department shall follow the procedure set forth in Section 23961.

8 (c) This chapter does not prohibit a person who currently holds
9 a valid on-sale general license for seasonal business from applying
10 for an original on-sale general license pursuant to this section.

11 (d) A license issued under this section shall not be transferred
12 from one county to another, nor shall it be transferred to any
13 premises not qualifying under this section.

14 SEC. 2. The Legislature finds and declares that a special law
15 is necessary and that a general law cannot be made applicable
16 within the meaning of Section 16 of Article IV of the California
17 Constitution because of the unique circumstances of the economy
18 of the County of Inyo, as specified in Section 1, that apply only
19 to the County of Inyo.